

### **REMARKS**

Applicant respectfully requests reconsideration of the present application. No new matter has been added. Claims 6-20 have been rejected in the Office Action. Claim 6 has been amended. No new claims have been added. Claims 13-20 have been canceled. Accordingly, claims 6-12 are pending herein.

#### **Judicially Created Double Patenting Rejection**

Claims 6-20 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,960,838. However, Applicant filed a terminal disclaimer to obviate the double patenting rejection in compliance with 37 C.F.R. §1.321 (b) and (c) and paid the appropriate fee under 37 C.F.R. § 1.20(d) along with the Amendment dated May 24, 2006. Confirmation of the Office receiving the terminal disclaimer and fee is evidenced by the attached Acknowledgement Receipt from the Office. It is believed that the previous filing of the Terminal Disclaimer makes the current double patenting rejection of claims 6-20 moot.

#### **Rejections based on 35 U.S.C. § 112**

Claims 6-20 were objected to under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Specifically, claim 6 has been amended to recite “a plurality of individual rectifier/super capacitor devices”. Applicant submits that these amendments overcome the § 112, second paragraph objection made as to pending claims 6-12.

#### **Rejections based on 35 U.S.C. § 102 and 35 U.S.C. § 103**

Claims 6 and 11-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,184,593 (“Jungreis ‘593”). Claims 6 and 11-12 were rejected under 35

U.S.C. § 103(a) as being unpatentable over Jungreis '593 in view of U.S. Patent No. 6,541,940 ("Jungreis '940"). Claims 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jungreis '593 and Jungreis '940 in view of U.S. Patent No. 6,404,655 ("Welches"). Claims 13-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jungreis '593 and Jungreis '940 in view of U.S. Patent No. 6,902,837 ("McCluskey").

Claims 13-20 have been cancelled. Accordingly, the rejection of these claims under 35 U.S.C. § 103(a) as being unpatentable over Jungreis '593 and Jungreis '940 in view of McCluskey is considered moot. With respect to pending claims 6-12, independent claim 6 has been amended to emphasize that the system includes a plurality of individual, distinct rectifier/super capacitor devices (as one example, device 480 in FIG. 4, a number of which may substitute for the rectifiers 140 and super capacitors 170 in the system of FIG. 1). Jungreis '593, cited by the Office, merely shows a single UPS 12 (power supply) having therein a plurality of rectifiers/inverters (DR1...) connected together with a DC bus 12-1 that itself connects with DC bus capacitors 12-2. In other words, there is no disclosure of distinct, individual rectifier/super capacitor devices, each including a rectifier and a super capacitor housed together. Merely, Jungreis '593 discloses a number of rectifiers and a number of capacitors in a single UPS unit, not individual devices that pair up a rectifier and a super capacitor. *See* Paragraph 0024 of the Applicant's specification.

Based on the rejections made in the last Office Action, it appears that independent claim 6 contains combined arrangements not found in the prior art of record – either singly or in combination. Thus, we respectfully request that the Examiner's rejections under 35 U.S.C. §

102(b) and/or 35 U.S.C. § 103(a) in view of the prior art of record be withdrawn with respect to claims 6-12.

### **CONCLUSION**

For the reasons stated above, it is believed that claims 6-12 are now in condition for allowance. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action.

It is hereby requested that the time period for responding to the outstanding Office Action mailed June 19, 2006, be extended for one month or until October 19, 2006. The Commissioner is hereby authorized to charge the one-month extension fee of \$120 and any additional fees that may be required, or credit any overpayment, to Deposit Account No. 19-2112.

Respectfully submitted,

/Jeffrey B. Williams/

Jeffrey B. Williams  
Reg. No. 43,269

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SHOOK, HARDY & BACON L.L.P.  
2555 Grand Boulevard  
Kansas City, MO 64108-2613  
816-474-6550